



PUBLIC NOTICE

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PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES REGION 21 (MICHIGAN) 800 MHZ NPSPAC REGIONAL PLAN AMENDMENT

General Docket No. 90-221

Introduction. On August 2, 2013, the Region 21 (Michigan)¹ 800 MHz National Public Safety Plan Advisory Committee (NPSPAC) Regional Planning Committee (RPC) submitted a proposed administrative modification (Plan Amendment)² to amend its 800 MHz Public Safety Plan.³ For the reasons discussed below, we approve the Region 21 800 MHz NPSPAC Plan Amendment.

Background. In accordance with the National Public Safety Plan, each region is responsible for planning its use of the public safety radio frequency spectrum (rebanding to the 806-824/851-869 segment).⁴

Review of the Region 21 Plan Amendment. The Plan Amendment consists of one administrative update, which adds language to the bullet list of “Required Application Submittals”⁵ to highlight the existence of inter-regional dispute resolution procedures which are located in the Plan, Appendix A, Section II, paragraph (2)(e), entitled “Inter-regional Coordination Procedures and Procedures for

¹ The Region 21 (Michigan) 800 MHz regional planning area consists of all the Upper Peninsula and all counties in the Lower Peninsula except the counties of Allegan, Barrien, Barry, Cass, Kalamazoo, Ottawa, St. Joseph, and Van Buren, which are part of Region 54 (Great Lakes Area).

² See Letter from Keith Bradshaw, Chair, Region 21 800 MHz Regional Planning Committee, to David Turetsky, (former) Bureau Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, General Docket No. 90-221 (filed Aug. 1, 2013) (Plan Amendment).

³ The Region 21 (Michigan) 800 MHz NPSPAC Plan was adopted by the Commission’s Private Radio Bureau (PR) on June 22, 1990. See Region 21 (Michigan) National Public Safety Plan Advisory Committee 800 MHz Regional Plan, *Order*, General Docket No. 90-221, 5 FCC Rcd 4031 (PR 1990); amended on July 3, 2013, see Public Safety and Homeland Security Bureau Approves Region 21 (Michigan) 800 MHz NPSPAC Plan Amendment, *Public Notice*, General Docket No. 90-221, 28 FCC Rcd 9445 (PSHSB 2013).

⁴ See Development and Implementation of a Public Safety National Plan and Amendment of Part 90 to Establish Service Rules and Technical Standards for Use of the 821-824/766-869 MHz Bands by the Public Safety services, *Report and Order*, General Docket No. 87-112, 3 FCC Rcd 905 (1987). The band was modified by the Commission in the *Rebanding* proceeding, WT Docket 02-55, by shifting the NPSPAC band down by 15 megahertz to 806-824/851-869 MHz.

⁵ See Plan at 10, Required Application Submittals.

Resolution of Disputes That May Arise Under FCC Approved Plans (Agreement).” Because the instant Plan Amendment simply highlights requirements contained in the existing *Agreement*, there is no need for letters of concurrence from the four adjacent regions – who are signatories to the Agreement located in Plan Appendix A.⁶

The Plan Amendment modifies the Region 21 NPSPAC Plan at page 10, to maintain consistency by adding an amplifying paragraph to the Required Application Submittals section with specific language copied directly from the agreements, by adding the following two bullets:

- After intra-regional review, a copy of those frequency specific applications requiring adjacent Region approval, including a definition statement of proposed service area, shall then be forwarded to the adjacent Region(s) for review.⁷ The agreements further state the precise conditions by which applications require adjacent region approval, “If an applicant’s proposed service area or interference contour extends into an adjacent Public Safety Region(s), the application must be approved by the affected Region(s).
- Evidence of coordination with adjacent region(s) in the event an application’s service area or co-channel interference contour extends into the adjoining region(s).

We have reviewed the Region 21 Plan Amendment, and conclude, based on the information before us that it complies with Commission rules and policies. Accordingly, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.102(b) of the Commission’s rules, 47 C.F.R. § 1.102(b), the Region 21 (Michigan) 800 MHz NPSPAC Public Safety Plan Amendment is APPROVED.

We take this action under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission’s rules, 47 C.F.R. §§ 0.191, 0.392.

Action by the Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau.

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⁶ The four regions adjacent to Region 21 are: Region 14 (Indiana), Region 33 (Ohio), Region 45 (Wisconsin), and Region 54 (Great Lakes Area).

⁷ See Plan Amendment, Appendix A – Inter-Regional Dispute Resolution/Concurrence (signed agreements between Region 21 and Region 14 (Indiana), Region 33 (Ohio), Region 45 (Wisconsin) and Region 54 (Great Lakes Area)).